

EXHIBIT B

From: [Erin Kelley](#)
To: [David Stein](#)
Cc: [David M. Nieporent](#); [ADA Litigation Team](#); [Edward Kroub](#)
Subject: RE: [External] Mejia v. The Tree Center LLC; Case No. 22-cv-5794 (PGG) (KHP)
Date: Tuesday, January 24, 2023 7:40:00 PM
Attachments: [image001.png](#)

If that's the case, then let's try to reach a settlement in this case as soon as possible. I was just informed that Will sent you an updated demand this morning, and he has not heard a response since then. I sent you our first settlement demand in August of last year—to which I received no response. Just as I received no response to my M&C letter sent on January 17th.

We are committed to settling this case and not increasing any more litigation fees. However, neither that nor Defendant's financial situation means that we should forgo our obligation to prosecute this case—by continuing to let time go by and deadlines to pass. Currently, the discovery deadline is February 28th.

I can hold off on reaching out to the Court. However, if we either do not settle or meet and confer about the discovery issues by 5 pm on Friday, we will have no choice but to let the Court know about these discovery issues we cannot seem to resolve.

Erin Kelley
Associate



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☐ [\(212\) 595-6200](tel:(212)595-6200)
☐ [225 Broadway 39th Flr. New York, New York 10007](#)

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From: David Stein <dstein@steinllp.com>
Sent: Tuesday, January 24, 2023 7:19 PM
To: Erin Kelley <ekelley@mizrahikroub.com>
Cc: David M. Nieporent <dnieporent@steinllp.com>; [ADA Litigation Team](#) <ADALitigationTeam@mizrahikroub.com>; [Edward Kroub](#) <ekroub@mizrahikroub.com>
Subject: RE: [External] Mejia v. The Tree Center LLC; Case No. 22-cv-5794 (PGG) (KHP)

Erin:

It might make sense for you to consider whether it is a sound business decision to engage in motion practice with a defendant that lost half-a-million dollars in the last quarter of the year.

Sincerely,
David Stein

David Stein
Partner / **STEIN & NIEPORENT LLP**
A: 1441 Broadway, Suite 6090, New York, NY 10018



P: (212) 308-3444 **F:** (212) 836-9595 **C:** (646) 334-4419
E: dstein@steinllp.com **W:** www.steinllp.com

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From: Erin Kelley <ekelley@mizrahikroub.com>
Sent: Tuesday, January 24, 2023 7:05 PM
To: David Stein <dstein@steinllp.com>; Edward Kroub <ekroub@mizrahikroub.com>
Cc: David M. Nieporent <dnieporent@steinllp.com>; ADA Litigation Team <ADALitigationTeam@mizrahikroub.com>
Subject: RE: [External] Mejia v. The Tree Center LLC; Case No. 22-cv-5794 (PGG) (KHP)

Good evening Davids,

I am following up. We still have not heard back from you regarding our meet and confer letter. As a result, we will have to let the Court know about the issues as explained in the letter unless I hear back from before tomorrow, January 25th.

Erin Kelley Associate	
<input type="checkbox"/>	mizrahikroub.com
<input type="checkbox"/>	(212) 595-6200
<input type="checkbox"/>	225 Broadway 39th Flr. New York, New York 10007

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||

From: Erin Kelley
Sent: Friday, January 20, 2023 3:46 PM
To: David Stein <dstein@steinllp.com>; Edward Kroub <ekroub@mizrahikroub.com>
Cc: David M. Nieporent <dnieporent@steinllp.com>; ADA Litigation Team <ADALitigationTeam@mizrahikroub.com>
Subject: RE: [External] Mejia v. The Tree Center LLC; Case No. 22-cv-5794 (PGG) (KHP)

Good afternoon Davids,

I am following up on the email below. We need to meet and confer as soon as possible regarding your discovery responses. Please respond to us no later than 5 pm on Monday, January 23rd.

Erin Kelley
Associate

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||

From: Erin Kelley <ekelley@mizrahikroub.com>

Sent: Tuesday, January 17, 2023 11:45 AM

To: David Stein <dstein@steinllp.com>; Edward Kroub <ekroub@mizrahikroub.com>

Cc: David M. Nieporent <dnieporent@steinllp.com>; ADA Litigation Team
<ADALitigationTeam@mizrahikroub.com>

Subject: RE: [External] Mejia v. The Tree Center LLC; Case No. 22-cv-5794 (PGG) (KHP)

Good morning Davids,

Please see the attached meet and confer letter regarding Defendant's discovery responses, or lack thereof. We want these discovery responses before we take a deposition of Defendant's designation. As stated in the letter, please send us dates that you are available to meet and confer this week.

Additionally, I see that you copied Sarah Morgan on this email. She is no longer with the firm. Please make sure not to direct any future emails to her.

Erin Kelley
Associate

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||

From: David Stein <dstein@steinllp.com>

Sent: Sunday, January 15, 2023 4:00 PM

To: Edward Kroub <ekroub@mizrahikroub.com>

Cc: David M. Nieporent <dnieporent@steinllp.com>; ADA Litigation Team
<ADALitigationTeam@mizrahikroub.com>; Sarah Morgan <smorgan@mizrahikroub.com>; Erin
Kelley <ekelley@mizrahikroub.com>

Subject: RE: [External] Mejia v. The Tree Center LLC; Case No. 22-cv-5794 (PGG) (KHP)

Of course, Eddie. Let me know when, and we will try to coordinate our schedule with yours.

Sincerely,
David Stein



David Stein
Partner / **STEIN & NIEPORENT LLP**

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From: Edward Kroub <ekroub@mizrahikroub.com>
Sent: Tuesday, January 10, 2023 10:33 AM
To: Erin Kelley <ekelley@mizrahikroub.com>; David Stein <dstein@steinllp.com>
Cc: David M. Nieporent <dnieporent@steinllp.com>; ADA Litigation Team <ADALitigationTeam@mizrahikroub.com>; Sarah Morgan <smorgan@mizrahikroub.com>
Subject: Re: [External] Mejia v. The Tree Center LLC; Case No. 22-cv-5794 (PGG) (KHP)

I will be on vacation that week. Can we do it the week after?

Edward Y. Kroub
Mizrahi Kroub LLP

From: Erin Kelley <ekelley@mizrahikroub.com>
Sent: Tuesday, January 10, 2023 10:30:03 AM
To: David Stein <dstein@steinllp.com>
Cc: David M. Nieporent <dnieporent@steinllp.com>; ADA Litigation Team <ADALitigationTeam@mizrahikroub.com>; Sarah Morgan <smorgan@mizrahikroub.com>
Subject: Re: [External] Mejia v. The Tree Center LLC; Case No. 22-cv-5794 (PGG) (KHP)

Yes, he will.

Kind regards,
Erin Kelley

From: David Stein <dstein@steinllp.com>
Sent: Tuesday, January 10, 2023 10:07:51 AM
To: Erin Kelley <ekelley@mizrahikroub.com>
Cc: David M. Nieporent <dnieporent@steinllp.com>; ADA Litigation Team <ADALitigationTeam@mizrahikroub.com>; Sarah Morgan <smorgan@mizrahikroub.com>
Subject: RE: [External] Mejia v. The Tree Center LLC; Case No. 22-cv-5794 (PGG) (KHP)

Please let us know ASAP if Mr. Mejia will require the assistance of a Spanish interpreter at his deposition. Thanks.

Sincerely,
David Stein



David Stein
Partner / **STEIN & NIEPORENT LLP**
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From: David Stein
Sent: Monday, January 9, 2023 7:15 PM
To: Erin Kelley <ekelley@mizrahikroub.com>
Cc: David M. Nieporent <dnieporent@steinllp.com>; ADA Litigation Team <ADALitigationTeam@mizrahikroub.com>; Sarah Morgan <smorgan@mizrahikroub.com>
Subject: Mejia v. The Tree Center LLC; Case No. 22-cv-5794 (PGG) (KHP)

Clint Stelfox will be the 30(b)(6) deponent for The Tree Center LLC. Please give us proposed dates, and we will work with you to schedule his deposition. Attached please find a notice of deposition directed to plaintiff Mejia.

Sincerely,
David Stein



David Stein
Partner / **STEIN & NIEPORENT LLP**
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From: Erin Kelley <ekelley@mizrahikroub.com>
Sent: Monday, January 9, 2023 5:55 PM
To: David Stein <dstein@steinllp.com>; Sarah Morgan <smorgan@mizrahikroub.com>
Cc: David M. Nieporent <dnieporent@steinllp.com>; ADA Litigation Team <ADALitigationTeam@mizrahikroub.com>
Subject: RE: [External] [URGENT] RE: Mejia v. The Tree Center, 1:22-cv-05794
Importance: High

Good evening Davids,

I am following up on our 30(b)(6) notice of deposition in *Mejia v. The Tree Center*. Please let us know as soon as possible who Defendant's designation will be and when they are available for a deposition. Per our deposition notice, the deposition needs to take place on or before Thursday, January 26th.

Please let me know if there are any issues.

Erin Kelley Associate	<input type="checkbox"/> mizrahikroub.com
<input type="checkbox"/>	<input type="checkbox"/> (212) 595-6200
<input type="checkbox"/>	<input type="checkbox"/> 225 Broadway 39th Flr. New York, New York 10007

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From: David Stein <dstein@steinllp.com>
Sent: Thursday, December 29, 2022 7:33 PM
To: Erin Kelley <ekelley@mizrahikroub.com>; Sarah Morgan <smorgan@mizrahikroub.com>
Cc: David M. Nieporent <dnieporent@steinllp.com>; ADA Litigation Team <ADALitigationTeam@mizrahikroub.com>
Subject: RE: [External] [URGENT] RE: Mejia v. The Tree Center, 1:22-cv-05794

Erin:

Email is just fine.

Sincerely,
David Stein



David Stein
Partner / **STEIN & NIEPORENT LLP**
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From: Erin Kelley <ekelley@mizrahikroub.com>
Sent: Thursday, December 29, 2022 3:15 PM
To: Sarah Morgan <smorgan@mizrahikroub.com>; David Stein <dstein@steinllp.com>
Cc: David M. Nieporent <dnieporent@steinllp.com>; ADA Litigation Team <ADALitigationTeam@mizrahikroub.com>

Subject: [URGENT] RE: Mejia v. The Tree Center, 1:22-cv-05794

Importance: High

Good afternoon,

I wanted to follow up on the below. Please respond as soon as possible.

Erin Kelley
Associate

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From: Erin Kelley

Sent: Tuesday, December 27, 2022 3:23 PM

To: Sarah Morgan <smorgan@mizrahikroub.com>; dstein@steinllp.com

Cc: David M. Nieporent <dnieporent@steinllp.com>; ADA Litigation Team
<ADALitigationTeam@mizrahikroub.com>

Subject: RE: Mejia v. The Tree Center, 1:22-cv-05794

Good afternoon Davids,

I just want to confirm that you all consented to the electronic delivery of this discovery. Please let me know as soon as possible.

Erin Kelley
Associate

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From: Sarah Morgan <smorgan@mizrahikroub.com>

Sent: Monday, December 12, 2022 1:40 PM

To: dstein@steinllp.com

Cc: David M. Nieporent <dnieporent@steinllp.com>; ADA Litigation Team
<ADALitigationTeam@mizrahikroub.com>

Subject: Mejia v. The Tree Center, 1:22-cv-05794

Good afternoon,

Attached please find copies of the following:

- Plaintiff's Requests for Production to Defendant;
- Plaintiff's Interrogatories to Defendant; and
- 30(b)(6) Deposition Notice.

Please advise whether Defendant consents to electronic service of all discovery in this matter.

Thank you,

Sarah Morgan
Legal Assistant

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